

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 15th DAY OF NOVEMBER 2006, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Steve L. Spradlin	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Doug Marrs	
	John A. Muffo	
	James D. Politis (Left at 7:15 p.m.)	
	Annette S. Perkins (Arrived 7:30 p.m.)	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

ADD TO THE AGENDA – ADDENDUM

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously, the following addendum dated November 15, 2006 was added to Closed Meeting:

- Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body
1. Bethel Elementary School Property

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Doug Marrs		
Mary W. Biggs		
James D. Politis		
John A. Muffo		
Steve L. Spradlin		

INTO CLOSED MEETING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
 1. Adjustment and Appeals Board
 2. Board of Equalization
 3. Parks and Recreation Commission
 4. Planning Commission
 5. Transportation Safety Commission
 6. Western Virginia Regional Jail Authority
- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body
 1. Bethel Elementary School Property

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Annette S. Perkins
Doug Marrs		
Gary D. Creed		
James D. Politis		
John A. Muffo		
Steve L. Spradlin		

Supervisor Politis left the meeting at 7:15 p.m. immediately after coming out of closed meeting.

OUT OF CLOSED MEETING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
John A. Muffo		James D. Politis
Mary W. Biggs		
Doug Marrs		
Steve L. Spradlin		

CERTIFICATION OF CLOSED MEETING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law

were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Doug Marrs
Gary D. Creed
John A. Muffo
Mary W. Biggs
Steve L. Spradlin

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins
James D. Politis

ABSENT DURING MEETING

Annette S. Perkins
James D. Politis

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MOMENT OF SILENCE – JOE C. STEWART

The Chair announced that former Board member, Joe Stewart, passed away on November 13, 2006. Mr. Stewart served as a member of the Board of Supervisors for 20 years. The Chair asked that a moment of silence be observed in memory of Joe Stewart.

PRESENTATION – RESOLUTION IN MEMORY OF GEORGE PORTERFIELD

The Board presented a resolution in commemoration of George Porterfield, Jr. to family members. Mr. Porterfield was in the education profession for thirty-one years and served as the Principal for Christiansburg High School for the last 21 years.

PUBLIC HEARINGS

Joint Public Hearing – Virginia Department of Transportation – Six Year Secondary Road Improvement Plan and Secondary System Construction Budget

David Clarke, VDOT Residency Administrator, provided information on the Six Year Secondary Road Improvement Plan. He explained the process and updated the Board on the Commonwealth Transportation Board's budget problems. Montgomery County will be receiving \$1.4 million for the next six years, which does not fund many road projects.

Blue Springs Road (SR 613) – Bill Baker thanked the Board and VDOT for the recent paving and upgrading of the upper portion of Blue Springs Road. However, there is approximately 2/10 of a mile that was left unpaved due to property right issues. This section is in the middle of two paved sections. Mr. Baker requested VDOT to continue the paving of Blue Springs Road up to Gum Log Road at the Pulaski County line.

Crab Creek Road (SR 660) - Steve Preville, Sandy Smith, and Susan Lezier spoke in support of upgrading the remainder of Crab Creek Road. The non-paved section is heavily traveled with numerous blind curves. The speakers wanted to know if this road be considered under the Rural Rustic Road Program.

Craig Creek Road (SR 621) – Winfred Huff, Dale Huff, Sam Shupe, and Georgia Shupe supported the upgrading of Craig Creek Road. A petition was submitted with 274 signatures urging the Board to move this road up on the plan in order to eliminate and reduce the danger to citizens due to the current condition of the road.

Pollard Road (SR 644) and Woodrow Road (699) – Angela Correa, Kaza Correa, and Andrew Yalowtiz urged the Board to upgrade and widen Pollard Road, which is narrow and full of potholes. They expressed safety concerns for the school bus and safety for the children. Pollard Road is off of Woodrow Road, which is also a non-paved road. They requested this road be paved in addition to Pollard Road.

Stanley Road (SR 667) - Harlan Akers, Shannon Dove and Michael O'Brein asked if Stanley Road could be considered under the Rural Rustic Road Program. This road is a dead-end road and heavily used. The road is graded through-out the year, but with each rainfall the condition of the road worsens.

Sunflower Road (SR 729) – Ken Owens, Angie Crawl, Nelson Vest, Robin Beeken, Sherwood Wright, Amie Lafon, Shannon McClellan, Clifford Flinchum, and Danny Riggins asked the Board for their immediate attention to Sunflower Road. The upper portion is state maintained for one mile, the remaining 7/10 of a mile is a private road with 17 residences. Sunflower Road has been on the County's Rural Addition List for a number of years and the necessary right-of-way is available for upgrading. The residents do not receive mail service or school bus service on the non-paved portion. They also expressed safety concerns as emergency vehicles cannot travel this road due to the condition of the road, especially in inclement weather.

Wrights Way - Brian Wright addressed the Board concerning Wrights Way, a private road off Harding Road (SR 785). Wrights Way is on the County's Rural Addition List to be upgraded and added to the State's secondary system. Mr. Wright cited safety concerns and traffic hazards during inclement weather, which makes it impossible for emergency services vehicles to access this road.

There being no further speakers, the public hearing was closed.

Ordinance to provide the Application and Disposition Deadlines for the Orderly and Efficient Processing of Equalization of Real Estate Assessment

An Ordinance scheduling the deadline for receipt of applications to the Montgomery County Board of Equalization shall be February 5, 2007 and the deadline for disposition of appeals by the Board of Equalization shall be March 5, 2007.

The County Administrator explained that the Board needs to set dates for the reassessment appeals process by the Board of Equalization. The deadline for citizens to appeal shall be February 5, 2005 and the deadline for disposition of appeals by the Board of Equalization shall be March 5, 2007.

There being no speakers, the public hearing was closed.

Proposed Ordinance to Amend Chapter 2, Section 2-107, Entitled Tax Exemption and Deferrals for the Elderly and Handicapped.

An Ordinance Amending Chapter 2, Division 5 Entitled Tax Exemptions and Deferrals for Elderly and Handicapped, Section 2-107 of the Code of the County of Montgomery, Virginia by Increasing the Income and Net Worth Eligibility Limits for Exemption from or Deferral of Taxation of Real Estate for the Elderly and Disabled.

The County Attorney provided information on the County's Tax Exemption and Deferral Program for the Elderly and Handicapped. The proposed ordinance will increase the income limits for eligible citizens. The revisions will be effective in 2007.

Robert Graham spoke in support of the proposed amendments to the tax exemption program for the elderly and handicapped. Mr. Graham commented that it is difficult for the citizens to survive on disability income and social security. He appreciates any help the Board of Supervisors can give to help lower the real estate taxes.

There being no further speakers, the public hearing was closed.

PUBLIC ADDRESS

Elliston Volunteer Fire Department – New Station - Clyde Hodges, Jerry Simms, Jane Barnett, Jimmy Epperly, and Joanne Dow spoke in support of additional funding for the new fire station for the Elliston Volunteer Fire Department.

Feasibility Study for Auburn School Strand – Julie Snyder and Kathy Albert spoke in support of the School Board's request for funding for a feasibility study for the Auburn School Strand. They reiterated the need for a new Auburn Middle School.

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously, the Consent Agenda was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
John A. Muffo		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Steve L. Spradlin		

Approval of Minutes

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously, the minutes dated August 29, 2006 were approved with the following changes:

Supervisor John Muffo was shown as being present and absent at the August 29, 2006 meeting. Supervisor Muffo was absent; therefore delete him as being present.

A-FY-07-52 TREASURER DMV STOP FEES

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriations for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

162 Treasurer

\$10,795

The source of funds for the foregoing appropriation is as follows:

Revenue Account:

02 411605	DMV Stop Fees	\$10,795
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Said resolution appropriates DMV Stop Fees collected to pay the associated fee to the DMV.

**A-FY-07-53
COMMONWEALTH'S ATTORNEY**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

220	Commonwealth's Attorney	\$223
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419104	Confiscations	\$223
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Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

**A-FY-07-54
DOMESTIC VIOLENCE VICTIM FUND REDUCTION
COMMONWEALTH'S ATTORNEY**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund appropriation was reduced for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

201	Domestic Violence Victim Fund	(\$24,800)
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The reduction in the source of the funds for the foregoing appropriation is as follows:

Revenue Account

424401	State Grants	(\$24,800)
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Said resolution reduces state funds appropriated for the Domestic Violence Victim Fund, which is administered by the Commonwealth's Attorney.

A-FY-07-55
PLANNING & GIS DEPARTMENT
VILLAGE TRANSPORTATION LINKS GRANT

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

801	Village Transportation Links Grant	\$68,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
424401	Village Transportation Links	\$68,000

Said resolution appropriates state monies for the Village Transportation Links Project.

A-FY-07-56
SHERIFF
RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

310	Sheriff – State	\$ 2,512
320	Sheriff – County	\$22,923
321	Sheriff – Grants	<u>\$ 780</u>
	Total	\$26,215

The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$25,435
424401	Project Lifesaver	<u>780</u>
	Total	\$26,215

Said resolution appropriates recovered costs and project lifesaver funds for use by the Sheriff's department.

A-FY-07-57
SCHOOL OPERATING FUND
SUPPLEMENTAL APPROPRIATION

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

561000 Instruction	\$63,394
562000 Administration/Attend & Health	<u>9,300</u>
Total	\$72,694

The sources of funds for the foregoing appropriation are as follows:

Revenue Account:

424299 Other Payment – Homeless Grant	\$18,820
433211 Medicaid Reimbursement – Special Ed	<u>\$53,874</u>
Total	\$72,694

Said resolution appropriates additional funds for the School Operating Fund.

A-FY-07-58
GENERAL FUND APPROPRIATION OF
TRANSFER TO SCHOOL OPERATING FUND

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

940 Transfer to School Operating Fund	\$1,764,924
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The source of funds for the foregoing appropriation is as follows:

451203 Undesignated Fund Balance	\$1,764,924
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Said resolution appropriates General Fund balance to provide the transfer to the School Operating Fund, which was appropriated by the Board of Supervisors through three separate resolutions in FY 07. This is for bookkeeping purposes only.

R-FY-07-68
VACATION OF PUBLIC UTILITY AND DRAINAGE EASEMENT FOR
ELLISTON-LAFAYETTE INDUSTRIAL PARK LOTS 2A&2C

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Plat of Boundary Line Vacation and Adjustment prepared for Insomnia Holdings, LLC for Lots 2A and 2C of Elliston-Lafayette Industrial Park requests the vacation of a 20' public utility and drainage easement on behalf of the landowners, Insomnia Holdings LLC; and

WHEREAS, Section 15.2-2270 of the Code of Virginia, as amended, permits the Board of Supervisors to vacate public utility easements upon request of the landowners involved.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Plat of Boundary Line Vacation and Adjustment prepared for Insomnia Holdings, LLC Anderson and Associates Job No. 24710 dated April 13, 2006). Lots 2A and 2C are Tax Parcels No. 47-A-3A (Acct ID# 071153) and 47-3-3C (Acct ID# 032131) respectively in the Shawsville Magisterial District.

FURTHER, The Subdivision Agent is hereby authorized to sign said plat for recordation.

OLD BUSINESS

R-FY-07-69
ROGER WOODY AND
ROGER WOODY T/A SHOWCASE HOME BUILDERS
REZONING REQUEST

A motion by Gary D. Creed, seconded by Doug Marrs for approval of the Roger Woody rezoning request on approximately 28.32 acres from Agriculture (A-1) to General Business (GB) located on the northeast side of Farmview Road, east of North Franklin St (US 460 BUS) and west of the US Route 460 (Bypass), and is identified as Tax Parcel No(s). 79-A-23, 24-26, 26A; 79-A-142, 143-147 (Acct #'s 017576, 021678, 026179, 021680, 032861, 001650, 006010, 021677, 001730, 029424, 001729) in the Shawsville Magisterial District (District B) resulted in a tie vote as follows:

The vote on the foregoing motion was as follows:

AYE

Gary D. Creed
Doug Marrs
Steve L. Spradlin

NAY

John A. Muffo
Mary W. Biggs
Annette S. Perkins

ABSENT

James D. Politis

According to the Board of Supervisors Rules of Order Number 6 in any case in which there shall be a *tie vote* of the Board upon any question when all of the members are not present, that question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present. In any case in which there shall be a tie vote upon any question after complying with this procedure, that tie vote shall defeat the motion, resolution or issue voted upon.

Several Board members questioned why the applicant did not submit a proffer to address the Board's concerns with the potential traffic problems created by the development of this property. A direct access from the proposed development to Peppers Ferry Road (Route 114) is needed to alleviate safety concerns on Farmview Road.

Chair Spradlin explained that the applicant mistakenly thought a proffer could be submitted at the Board's meeting tonight. According to the County Attorney, no new proffers can be submitted after a public hearing is held on a land use matter. Proffers submitted previously can be amended but no new proffers can be accepted. Therefore, a new public hearing would be required in order to accept a proffer to address an access road from the property to Peppers Ferry Road.

The Board members who voted to oppose this rezoning expressed that they could not support this rezoning without the applicant addressing the concerns with the traffic and the need for a direct access.

R-FY-07-75
SCHEDULE PUBLIC HEARING
ROGER WOODY REZONING

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby schedules a public hearing on December 4, 2006 at 8:00 p.m. or as soon thereafter, in the County Government Center, 755 Roanoke St., Christiansburg, Virginia, in order to hear citizens comments on the Board of Supervisors intent to act on the following request:

Rezoning Request – Roger Woody

Roger Woody requests to rezone approximately 28.32 acres from Agriculture (A-1) to General Business (GB), with a proffer providing interparcel access from the property toward State Route 114, to allow general business uses. The property is located on the northeast side of Farmview Road, east of North Franklin St (US 460 BUS) and west of the US Route 460 (Bypass), and is identified as Tax Parcel No(s). 79-A-23, 24-26, 26A; 79-A-142, 143-147 (Acct #'s 017576, 021678, 026179, 021680, 032861, 001650, 006010, 021677, 001730, 029424, 001729) in the

Shawsville Magisterial District (District B). The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	James D. Politis
Doug Marrs		
Mary W. Biggs		
Annette S. Perkins		
John A. Muffo		
Steve L. Spradlin		

R-FY-07-70
AMERICAN ELECTRIC POWER
REQUEST FOR PUBLIC UTILITY EASEMENT
MEADOWBROOK FACILITY

On a motion by Gary D. Creed, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the conveyance of a right-of-way easement across the Meadowbrook Facility located at 267 Alleghany Spring Road, Shawsville, Virginia in order to install electrical service to the leased portion of the Meadowbrook facility

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors is hereby authorized to execute the above referenced right-of-way easement to American Electric Power on behalf of the Board of Supervisors.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	James D. Politis
Mary W. Biggs		
Doug Marrs		
Annette S. Perkins		
Gary D. Creed		
Steve L. Spradlin		

NEW BUSINESS

R-FY-07-71 VDOT REVENUE SHARING FUNDS FOR COUNTY WIDE PAVING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors' FY 2005-2006 Revenue Sharing resolution adopted on February 13, 2006 approved projects totaling \$744,920 (50% VDOT and 50% County); and

WHEREAS, This amount included \$141,920 for county-wide paving; and

WHEREAS, VDOT has requested payment of the County's share for county-wide paving, which is \$70,960 and asked the Board of Supervisors to determine which roads are to be paved; and

WHEREAS, The Roads Committee met with representatives from the Virginia Department of Transportation (VDOT) on September 28, 2006 to discuss roads to be recommended for paving with the \$141,920 in Revenue Sharing funds the Board earmarked for county wide paving.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby requests that VDOT apply the \$141,920 included in the FY 2005-2006 Revenue Sharing funds for county wide paving to the following roads:

Pollard Road (SR 644)	\$25,000	(0.22 mi)
Union Valley Road (SR 669)	85,000	(1.3 mi)
Dry Valley Road (SR 787)	<u>30,000</u>	(0.5 mi)
	\$140,000	

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	James D. Politis
Doug Marrs		
Annette S. Perkins		
Gary D. Creed		
John A. Muffo		
Steve L. Spradlin		

R-FY-07-72
POLLARD ROAD (SR 644)
REQUEST FOR RURAL RUSTIC ROAD DESIGNATION

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Section 33.1-70.1 of the Code of Virginia permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, Any such road must be located in a low-density development area and have a minimum of 50 vehicles per day (vpd), and have no more than 1000 vpd; and

WHEREAS, The Board of Supervisors of Montgomery County, Virginia ("Board") desires to consider whether Pollard Road (SR 644) from Woodrow Road (SR 699) to the end of Pollard Road (SR 644) should be designated a Rural Rustic Road; and

WHEREAS, The Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, The citizens that utilize this road have been made aware that this road may be paved with minimal improvements; and

WHEREAS, The Board believes that this road should be so designated due to its qualifying characteristics and will endeavor to retain these characteristics through its comprehensive planning process; and

WHEREAS, This road is in the Board's six-year plan for improvements to the secondary system of state highways; and

WHEREAS, Pollard Road is not on Montgomery County's Bike Plan and the County does not want VDOT to look at bicycle lanes for this road.

NOW, THEREFORE, BE IT RESOLVED, The Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, The Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, slide slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
John A. Muffo		
Mary W. Biggs		
Gary D. Creed		
Doug Marrs		
Steve L. Spradlin		

A-FY-07-59
ESCROW REQUESTS

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

110	County Administration	\$2,700
130	Financial and Management Services	\$2,500
162	Treasurer – Collections	\$5,177
200	Commonwealth Attorney	\$3,197
210	Circuit Court I	\$1,839
230	Juvenile Domestic Relations	\$2,668
320	Sheriff – County	\$10,000
400	General Services	\$58,885
520	Human Services	\$8,611
700	Parks and Recreation	\$40,977
710	Regional Library	\$63,312
720	Floyd Library	\$11,327
820	Planning and GIS	\$71,068
910	Outside Agencies – Montgomery Museum	<u>\$45,000</u>
	Total	\$327,261

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
451205 Undesignated Fund Balance	\$327,261

Said resolution appropriates amounts recommended to be escrowed for use in the current year to complete projects and to provide funding for liabilities over and above those encumbered by purchase orders.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	James D. Politis
Mary W. Biggs		
Gary D. Creed		
Doug Marrs		
Annette S. Perkins		
Steve L. Spradlin		

A-FY-07-60
SCHOOL OPERATING FUND
CARRY FORWARD OF FUNDS

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating and School Cafeteria Funds were granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

School Operating		
564000	Operations and Maintenance	\$565,781
	School Nutrition	<u>\$130,872</u>
	Total	\$696,653

The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account:</u>	
45100 Transfer from General Fund	\$696,653

Said resolution appropriates unspent school operating funds remaining at June 30, 2006.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	James D. Politis
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Annette S. Perkins		
Steve L. Spradlin		

R-FY-07-73
TECHNOLOGY RESERVE FUND

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, At their October 11, 2005 meeting, the Board of Supervisors approved establishment of a Technology Reserve Fund in the amount of \$300,000; and

WHEREAS, The actual cost and timeframe for implementation of some technology projects has not yet been established; and

WHEREAS, Over \$86,000 remained at the end of Fiscal Year 2006 due to vacancy savings in Information Management Services; and

NOW THEREFORE BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Technology Reserve Fund is increased from \$300,000 to \$386,000 to cover the future costs of technology projects.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	James D. Politis
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Annette S. Perkins		
Steve L. Spradlin		

R-FY-07-74
WESTERN VIRGINIA REGIONAL JAIL AUTHORITY
APPOINTMENT

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints the following to the Western Virginia Regional Jail Authority effective January 1, 2007 and expiring December 31, 2007:

Sheriff Tommy Whitt	Captain Robert L. Hall (alternate)
Doug Marrs, Board of Supervisors	Gary D. Creed (alternate)
B. Clayton Goodman, Staff Member	Carol Edmonds (alternate)

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission /authority.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office, shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

BE IT FURTHER RESOLVED, That all future annual appointments to the Western Regional Jail Authority shall be by the Board prior to January 1 of the effective year.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	James D. Politis
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Mary W. Biggs		
Steve L. Spradlin		

INTO WORK SESSION

On a motion by Doug Marrs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Elliston Volunteer Fire Department – New Fire Station
2. Fire Grant – The Emergency Services Coordinator, Neal Turner, will present an update regarding the County's efforts to secure a fire grant for a training facility.
3. County Capital Projects

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	James D. Politis
Annette S. Perkins		
John A. Muffo		
Mary W. Biggs		
Doug Marrs		
Steve L. Spradlin		

Elliston Volunteer Fire Department – New Fire Station

The County Administrator presented information regarding the Elliston Volunteer Fire Department's new fire station. As previously reported, the low bid received was \$1,621,000 with \$860,000 allocated for the new station. A total of \$795,420 in additional funds is needed and no additional funds exist in the current budget for this item.

The County Administrator provided information on the planning and design phase of the project and explained the need for a new station. This station has been put on hold in order to construct other fire and rescue projects, such as the new station for Long Shop/McCoy Fire Department and the new Riner Rescue Squad. Inflation is the primary reason why the cost of the building has increased.

The County Administrator recommended moving forward with this project and funding the additional costs with undesignated funds. A resolution of appropriation will be added to the next agenda for the Board's consideration.

Supervisor Creed commented that the volunteers in the Elliston community have dedicated their time to the community. They are in need of, and deserve, a new station and equipment. He believes they need to move forward with this project.

Other Board members agreed that a new station is needed and they appreciate the dedicated service of the volunteers.

Fire Grant – Burn Building

Neal Turner, Montgomery County's Emergency Services Coordinator, presented the Board with information on the availability of a fire grant for a burn building for Montgomery County. Mr. Turner reported that a \$430,000 grant provided by the Virginia Department of Fire Programs for the purpose of constructing a "Burn Building" on the property of Radford Army Ammunition Plant is available. A burn building will provide a training facility for all of Montgomery County public safety divisions and surrounding jurisdictions, such as Pulaski, Giles, and the City of Radford.

Mr. Turner reported a resolution to authorize the submittal of an application will be on the Board's next agenda for consideration.

County Capital Projects

The County Administrator provided information on the County's General Government Capital Projects. According to the County's financial advisors, Davenport & Company, LLC., the County could fund \$130 million in future capital projects with projected incremental tax impact of 14 cents over a five year period. This amount does not include the County's share of the cost for the new Western Virginia Regional Jail. It is estimated the first three years of operation of

the new regional jail will require a 4 cent tax increase. Therefore, an estimated total tax increase of 18 cents will be required.

The County's future capital improvement projects total \$31 million, leaving \$98 million for future school capital projects. If the Board decides to include the cost of the new regional jail in the County's capital projects this would increase the county's total to \$70 million, leaving \$60 million for school capital projects. According to Davenport & Company, the cost of the new regional jail will not impact the County's ability to borrow, as the Western Virginia Regional Jail Authority will be issuing bonds for construction, not the County.

The County Administrator stated the next step is to determine the amount of funding to borrow and the amount of funding to be allocated for School capital projects. This matter will be on the Board's next agenda for discussion and consideration.

Supervisor Spradlin believes that if the Board is going to approve the borrowing of \$130 million for future capital projects then there should be citizen input. He believes the County should proceed with a bond referendum and let the voters decide.

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
John A. Muffo		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Steve L. Spradlin		

COUNTY ADMINISTRATOR'S REPORT

Feasibility Study – Auburn School Strand

The County Administrator reported he received a letter today from the School Superintendent, Dr. Anderson, requesting funding for a feasibility study (\$25,000) and a GIS study (\$60,000) for the Auburn School Strand. This issue will be added to the Board's November 27, 2006 agenda for discussion.

BOARD MEMBERS' REPORTS

Supervisor Muffo reported the Peace Sculpture ceremony will be either December 7 or December 9, 2006 at the Government Center. The majority of the Board members stated that December 9, 2006 would be a suitable date. Supervisor Muffo will contact Bob Young with the Rotary to work out the details.

Massage Parlors - Supervisor Muffo received a call from a concerned citizen about the County's ordinance regarding massage parlors. The County Code currently states that it is unlawful for physical contact with members of the opposite sex at massage parlors, spas, etc. Certain licensed physicians are excluded, which does not include licensed massage therapist. Supervisor Muffo believes that the County's ordinance needs to be amended to include licensed massage therapist.

Supervisor Biggs received a call from a citizen who volunteered at the Juvenile Detention Home for 14 years with concerns about the recent problems at the Detention Home. Apparently, there are issues between the School Administration and the Detention Home in regards to safety for the teachers who teach at the Detention Home.

Supervisor Creed **Old Blacksburg Middle School Transition Committee** - The OBMS Transition Committee met today and discussed the parameters for the committee, purpose, and future meetings.

New Elliston/Lafayette Elementary School Supervisor Creed made a motion for the County to make an offer for the option to purchase land for the new Elliston/Lafayette Elementary School. The Chair announced that the County is not in the position at this time to make any offers. Supervisor Creed withdrew his motion.

GIS Reassessment Site Supervisor Creed reported problems with the County's GIS Reassessment site. Citizens are having trouble getting to the 2007 property values and a tool bar hides part of the screen. The County Administrator will report this to the GIS Manager.

Supervisor Spradlin asked that the request to submit a grant application for the "Burn Building" be included on the Board's next agenda.

ADJOURNMENT

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Monday, November 27, 2006 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	James D. Politis
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Annette S. Perkins		
Steve L. Spradlin		

The meeting adjourned at 11:30 p.m.

APPROVED:_____	ATTEST:_____
Steve L. Spradlin	B. Clayton Goodman, III
Chair	County Administrator